

**To:** jgould@bnriverkeeper.org[jgould@bnriverkeeper.org]; cslater@cslaterlaw.com[cslater@cslaterlaw.com]  
**Cc:** Daly, Eric[Daly.Eric@epa.gov]  
**From:** Matthew Weber  
**Sent:** Fri 6/10/2016 1:34:44 PM  
**Subject:** FW: Niagara Falls Boulevard Site-Weber Property  
[removed.txt](#)  
[160605 NFB Gamma Area6.pdf](#)  
[160605 NFB Gamma OV.pdf](#)

Craig and Joe:

Please see below and the attached. I met with Eric Daly at the site on Wednesday morning. As Eric notes below, and as we discussed, the attached maps are Drafts and are not intended for distribution. However, it does appear that this particular SBL of the JCW, Inc. property will be subject to a EPA clean-up in the future, when and if funding becomes available.

As for the transaction with the Town of Niagara, the only good news is that this parcel is separate from the larger area and has its own SBL, so maybe it can be excepted out of the deal at this time and reconsidered in the future.

Matt

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**From:** Daly, Eric [mailto:Daly.Eric@epa.gov]  
**Sent:** Sunday, June 05, 2016 5:14 PM  
**To:** Matthew Weber <mtweber@nycourts.gov>  
**Subject:** Niagara Falls Boulevard Site-Weber Property  
**Importance:** High

Good Afternoon Matt:

I have some unfortunate news. We cleared your property as the photos showed on Friday. We scanned the cleared areas and found increased radiation on your property. High enough that we could not stage our trailers in that area. I know this is not what you wanted to hear but this is the situation. I have only copied you as the property owner. We still have more assessment to conduct on your property but a removal at your property is not included in my current removal action document. Meaning I have only allocated funds to remove the contaminated material in the buildings and parking lot areas at this time. I can only assess now and propose an action after I have finished this phase. We can discuss more in person or on the phone when you are available. I have attached a draft gamma survey figure that illustrates what I am talking about. Please do not distribute since this is raw data just uploaded.

Thanks

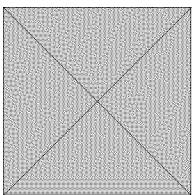
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**From:** Matthew Weber [mailto:mtweber@nycourts.gov]  
**Sent:** Friday, June 03, 2016 12:37 PM  
**To:** Daly, Eric <Daly.Eric@epa.gov>  
**Subject:** RE: Niagara Falls Boulevard Site-Weber Property

Eric:  
Thanks for the update.

Matt

Matthew T. Weber, Esq.  
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**From:** Daly, Eric [<mailto:Daly.Eric@epa.gov>]  
**Sent:** Friday, June 03, 2016 12:33 PM  
**To:** Matthew Weber <[mtweber@nycourts.gov](mailto:mtweber@nycourts.gov)>  
**Subject:** Niagara Falls Boulevard Site-Weber Property

Good Afternoon Matt:

Work is progressing well. We cleared most of Staging Area 1 and a portion of your property for survey and office trailer placement. There was a lot of weeds and phragmites in the areas cleared. I have included a picture of the area towards the end of the parking lot and beginning of the woods with a lot of phragmites. In the pictures you should see it is cleared and all those phragmites stacked off to the side. The other photos shows an area cleared on your property. I have included some graphics that outline the property marker between your property and Rapids Bowling Alley. This is where we will stage the trailers. We will put down some geo fabric to prevent the phragmite growth and also put rock down prior to staging the trailers. This will stabilize the trailer as well as prevent a loose muddy ground surface.

Please let me know if you have any questions.







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**From:** Daly, Eric  
**Sent:** Thursday, June 02, 2016 10:45 AM  
**To:** Matthew Weber <[mtweber@nycourts.gov](mailto:mtweber@nycourts.gov)>; [cslater@cslaterlaw.com](mailto:cslater@cslaterlaw.com)  
**Subject:** Niagara Falls Boulevard Site-Weber Property

Good Morning:

It was nice to meet you in person yesterday, Matt.

Attached is the Insurance certificate from one of our contractors. I will forward the other certificate once received. You should also receive a hard copy by mail. Please let me know if you have any questions.

Thanks

<< File: 160531\_Weston Insurance Certificate\_9547 Niagara Falls Blvd Weber.pdf >>

Regards,  
Eric

"We must, indeed, all hang together, or assuredly we shall all hang separately", Benjamin Franklin

Eric M. Daly  
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**From:** Daly, Eric  
**Sent:** Thursday, May 26, 2016 10:22 AM  
**To:** Matthew Weber <[mtweber@nycourts.gov](mailto:mtweber@nycourts.gov)>; [cslater@cslaterlaw.com](mailto:cslater@cslaterlaw.com)  
**Subject:** RE: Niagara Falls Boulevard Site-Weber Property  
**Importance:** High

Good Morning:

Is there a way to get me the owner name, property address/SLD today? I want to get that to my contractors ASAP. This is to protect the property owners and I would like this finalized prior to our mobilization next week.

Thanks

**From:** Daly, Eric  
**Sent:** Wednesday, May 25, 2016 6:10 PM  
**To:** Matthew Weber <[mtweber@nycourts.gov](mailto:mtweber@nycourts.gov)>; [jgould@bnriverkeeper.org](mailto:jgould@bnriverkeeper.org); [cslater@cslaterlaw.com](mailto:cslater@cslaterlaw.com)  
**Subject:** Niagara Falls Boulevard Site-Weber Property  
**Importance:** High

Good Evening:

Thanks for taking the time to talk yesterday. Attached is a copy of the presentation we went over.

Clarification, we are traveling to the Niagara Falls area on Tuesday, May 31<sup>st</sup>. Our first day on Site is Wednesday, June 1<sup>st</sup>. I keep forgetting about the holiday on Monday.

Lastly, if you haven't already emailed me, please send me the information for the additionally insured request. Exact property address/SBL info and exact owner information to be listed.

Thanks << File: NFB Presentation JCW.pdf >>

Regards,  
Eric

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